

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN MICHAEL MCLEOD,

Plaintiff,

Civil Action No.
11-CV-15633

vs.

HON. MARK A. GOLDSMITH

MICHIGAN DEPARTMENT
OF TREASURY,

Defendant.

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S REPORT
AND RECOMMENDATION AND DISMISSING CASE**

This matter is presently before the Court on the Report and Recommendation ("R&R") of Magistrate Judge Michael Hluchaniuk, issued on June 5, 2012. The Magistrate Judge recommends that Defendant's motion to dismiss be granted, and that Plaintiff's motion for replevin and motion for damages be denied. No party has filed objections to the R&R, and the time to do so has expired. Therefore, any further right to challenge the recommendations reached by the Magistrate Judge is waived. Thomas v. Arn, 474 U.S. 140, 155 (1985). In any event, the Court has reviewed the R&R and finds that the Magistrate Judge has reached the correct result for the correct reasons.

Accordingly, the Magistrate Judge's R&R of June 5, 2012 (Dkt. 18) is accepted and adopted as the findings and conclusions of the Court, Defendant's motion to dismiss (Dkt. 8) is granted, and Plaintiff's motions (Dkts. 5 and 11) are denied.

SO ORDERED.

Dated: June 27, 2012
Flint, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on June 27, 2012.

s/Deborah J. Goltz _____
DEBORAH J. GOLTZ
Case Manager